

# Exhibit 38

**United States District Court  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

JOSHUA YARBROUGH,	§	
and MATT LOFLAND, ET AL.,	§	
	§	
<i>Plaintiffs,</i>	§	Civil Action 4:19-cv-905
	§	
vs.	§	<b>JURY DEMANDED</b>
	§	
CSS CORP., and	§	
GLOW NETWORKS, INC.,	§	
	§	
<i>Defendants.</i>	§	

**DECLARATION OF JOSHUA WALKER**

1. My name is Joshua Walker. I am more than 18 years old, of sound mind, capable of making this declaration, and fully competent to make declarations to the matters stated herein. I have personal knowledge of the facts stated herein except where noted.

2. There was a discriminatory environment working at the RITC.

3. There were cameras installed in the front and all the black workers were told to move to the front.

4. They made our job extremely uncomfortable for us. For example, taking away our cell phones when that was a big part of our jobs. There were language barriers working with Field Techs so it was easier to communicate via text message. Without our phones it became difficult to understand a lot of the time. We would get written up if we were on our phones even if our work was completed.

5. In the back where cameras were not installed a lot of white and Indians were on their phones. There were no cameras to catch them.

6. Also Muhammed would harass me and others. He would give us more sites to work and constantly be chatting with us while he was home on skype every chance he got it seemed. He was questioning us constantly with unnecessary things and throwing a fit just to bother us and get under our skin. He would treat everyone nice except the Black people. He would say mean things to us and be aggressive. If you complain to HR, you then find yourself laid off or fired. The managers on site would yell at you out loud and embarrass you any chance they get. During downtime Muhammed went out his way to tell me I could not read my CCNA book which was job related and I thought to myself, "wow."

7. It felt like prison working there at times. I was promoted to a tier 2 role and my pay did not increase. I had more work and responsibilities but no pay increase. I had put in a letter to get \$25 an hour they said \$21, I believe. We were getting underpaid for the type of work we were doing.

8. Muhammed tried to get people fired purposely. And would say things like this dude needs to be fired. It was disgusting to see. He also would not follow HR policy. One time I was late to work, and he texted me, "No need for you to come in tonight since it's after 9PM." I replied back, "just seeing your text and just got here. I was driving and stuck in traffic. I thought the policy said if an employee is 2 hours late the manager has the right to send them home without pay. Well, I was an hour late, not 2!! Is that following protocol sir?" He replied back, "please check

with Sandeep regarding HR Policy since he is more familiar with it than I am...” And Muhammed was very well aware of the HR Policy and what he was doing. He would do little things to get under your skin like this. The sad part about this is he would constantly stress we have a policy to follow and when he purposely doesn't follow it himself, he acts innocent.

9. Once I got a job at Samsung he was calling old workers asking about us. I knew then, these guys are a problem. And I left with a 2 weeks' notice being treated very badly. I remained professional because I did not know what the future holds. I knew more projects could open up in the future. Sadly enough, it did. I was on a new project at the RITC and did not last a month this time. Muhammed was yelling at me out loud in front of everyone and at others. All Black people and I complained to Steve but nothing happened. One time I was working with another coworker, and we needed help and he was the lead. His job was to help people who needed help and he did not help us but laughed at us in front of everyone. The next day I was fired.

10. The unwelcome harassment to us Black workers began almost as soon as we finished orientation and lasted the entire time of our employment.

11. CSS and Glow grouped the Black workers together in specific rooms to complete out job duties because of the color of out skin.

12. Defendants did not allow the Black workers to use our personal cell phones because of the color of our skin, even when we needed to communicate with

the field technicians with our cell phones but allowed the white and Indian workers to use their personal cell phones.

13. Defendants did not allow the Black workers the same breaks as whites and Indians because of the color of our skin.

14. Defendants installed cameras in the rooms mostly populated by Black workers, but not in rooms populated by mostly white or Indian workers because of the color of our skin.

15. Defendants constantly spoke to Black workers in a condescending and manipulative tone.

16. Defendants required Black workers to clean up dishes after white and Indian workers.

17. Defendants denied qualified Black workers promotions because of the color of our skin and instead hired white and Indian workers to fill those positions; (

18. Defendants demoted qualified Black workers because of the color of our skin and instead hired white and Indian workers to fill those positions.

19. Defendants restricted training to its Black workers because of the color of our skin while allowing white and Indian workers extra training.

20. Defendants gave more sites and work assignments to its Black workers than the white and Indian workers because of the color of our skin.

21. Defendants yelled, disciplined, verbally abused, and falsely accused Black workers even after it was proven that the Black workers did not commit such mistakes, and Defendants did not treat the white or Indian workers this way.

22. Because the Defendants gave its Black workers more sites than the white and Indian workers or wrong sites that white and Indian workers did not receive, it forced us Black workers to work overtime to complete the tasks and we were denied overtime pay.

23. Conversely, Defendants denied some Black workers the option of over time while allowing white and Indian workers to work overtime.

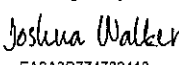
24. Defendants did not allow Black workers of Nigerian descent to wear native dress while allowing its Indian workers to wear native dress.

25. Defendants' night shift team lead would walk around making videos of the Black employees but not employees of other races.

26. Defendants threatened it Black workers that it would fire us.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, Texas, on September 24, 2021.

DocuSigned by:  
  
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Joshua Walker